

Juniper Ridge Landfill – Frequently Asked Questions

1. **Why did the State acquire the Juniper Ridge Landfill?** The Governor and Legislature hoped to help the financially-troubled paper mill and save jobs for the Old Town region. The State also saw an opportunity to obtain a licensed landfill that would help meet future disposal capacity needs and avoid having to construct a new landfill elsewhere.
2. **Why did the Legislature ban commercial disposal facilities?** The ban on new commercial disposal facilities was put in place to shield the state from the importation and disposal of out-of-state generated waste.
3. **Why doesn't the Legislature ban out-of-state wastes?** Movement of solid waste across state lines is protected under the United States Constitution's Commerce Clause. States may not regulate in ways that interfere with the flow of commodities in interstate commerce. The State as a market participant, however, may choose to restrict disposal of out-of-state waste at its facility(ies).
4. **Why is any waste imported into Maine?** Much of the waste imported to Maine goes to two of the State's four waste-to-energy facilities. The majority of the State's businesses and residents rely on these facilities to manage the disposal of their wastes. Since their inception, Maine's waste-to-energy facilities have required, either on an occasional, seasonal, or permanent, year-round basis, more waste for fuel than is currently available to them from within Maine. This processing *over capacity* creates a demand that the facilities have to meet by looking out of state for additional fuel waste.
5. **How does the State assure proper oversight of the Juniper Ridge Landfill?** Two state agencies provide oversight of the Juniper Ridge Landfill. The State Planning Office, as the owner, oversees the operating services agreement to ensure the operator is complying with the State's operating terms. The Maine Department of Environmental Protection, as licenser and environmental regulator, oversees license and solid waste regulatory and statutory compliance.
6. **How was the operator for the Juniper Ridge Landfill selected?** The State Planning Office advertised for competitive proposals for a qualified landfill operator. Only one company submitted a proposal and was willing to provide landfill management services under the terms imposed by the operating services agreement.
7. **What restrictions apply to the State's operator of the Juniper Ridge Landfill?** The 30-year operating services agreement caps the amount that the operator may charge to accept wastes. It requires that the operator apply for additional landfill capacity by a date certain. It requires the operator to supply wood fuel to the adjacent biomass boiler at below market cost. It requires the operator to reserve capacity to serve the disposal needs for biomass ash from both the Old Town mill's owner as well as from Lincoln Pulp and Paper at below market rates. It also excludes certain wastes from being disposed at the landfill. Those disposing of solid waste at the Juniper Ridge Landfill are presented with a list of all excluded wastes and must sign a manifest stating what wastes they are

disposing. The manifest notifies the signatory that he or she faces perjury charges for any falsifications on the manifest.

8. **Can out-of-state waste be disposed at Juniper Ridge Landfill?** The Legislature re-defined what is considered out-of-state waste to say that residues and bypass generated by the processing, recycling, or incineration in Maine of out-of-state waste are considered to be wastes generated within the state. Juniper Ridge accepts 94,000 tons per year of municipal solid waste incinerator ash from Maine waste-to-energy facilities. A portion of this ash is the result of imported waste incinerated at those facilities. In addition, the State Planning Office amended its operating services agreement to allow a limited amount of out-of-state construction and demolition debris to be imported to meet the terms of the fuel agreement with the biomass boiler owner. However, before the amendment could take effect, the necessary corresponding amendment to the environmental license to allow for the possible disposal of by-passed construction and demolition debris was withdrawn, continuing the exclusion of out-of-state generated solid wastes from disposal at Juniper Ridge.
9. **What financial arrangement does the State have with the operator of the Juniper Ridge Landfill?** The State does not pay its landfill operator anything to manage the Landfill. The operator charges a per ton 'tipping fee' on wastes delivered to the landfill, subject to the tip fee cap established in the operating services agreement. Like other facilities, the operator is responsible for paying fees on certain wastes into the State's Solid Waste Management Fund.
10. **What arrangements does the State have with the host community City of Old Town?** As part of the operating services agreement, the operator is responsible for providing the City of Old Town with its host community benefits. These include a payment in lieu of taxes for the landfill's value, a 'per ton fee' on certain wastes disposed, and other benefits. The Town of Alton also receives a smaller payment based upon the tonnage of wastes delivered to the landfill and other benefits. In addition, the Legislature established a local advisory committee to act as a liaison between the public and parties involved with the operation of Juniper Ridge Landfill.